

IN RE: PETITIONS FOR VARIANCE - SE/S * BEFORE THE
Pulaski Highway, 250' and 50' W * ZONING COMMISSIONER
of the c/l of Rosedale Avenue * OF BALTIMORE COUNTY
(7801 & 7803 Pulaski Highway) *
15th Election District * Case Nos. 96-420-A & 96-421-A
7th Councilmanic District *
Robert Bench, et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as combined Petitions for Variance for the adjoining properties known as 7801 and 7803 Pulaski Highway, located in the vicinity of Chesaco Avenue in Rosedale. The Petitions were filed by the owners of the properties, Robert Bench, Sr. and his wife, Carolyn Bench. In both cases, the Petitioners seek relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet and to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, to legitimize the existing structures on the site. In addition, the Petitioners seek relief to permit varying side setbacks of as little as 40 feet in lieu of the required 50 feet for the existing structure at 7803 Pulaski Highway. The subject properties and relief sought are more particularly described on the respective site plans submitted which were accepted and marked into evidence as Petitioner's Exhibits 1.

Notice of the public hearing scheduled in these matters was properly posted and advertised. Appearing at the hearing on behalf of the Petitions was Timothy W. Wolfe, Professional Engineer with Spotts, Stevens and McCoy, who prepared the site plans for these properties. . There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject proper-

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED

ties are located adjacent to one another on the southeast side of Pulaski Highway, at its intersection with Rosedale Avenue in Rosedale. The property known as 7801 Pulaski Highway (Lot 1) consists of 1.282 acres, more or less, and is improved with a one-story block warehouse building. The adjoining property, known as 7803 Pulaski Highway (Lot 2), is an irregular shaped corner lot which the side property line thereof runs in a southerly, diagonal direction along Redhouse Run. This somewhat smaller lot consists of 0.812 acres, more or less, and is also improved with a one-story brick and block warehouse building. Both properties are zoned M.L.-C.S.-1, with a small portion to the rear of Lot 1 zoned M.L.- I.M. On behalf of the Petitioners, Mr. Wolfe testified that the subject lots were formerly considered a single parcel of property and were conveyed to the Petitioners under one deed. However, the Petitioners now wish to subdivide the property to create two separate lots as shown on the site plan. The proposed subdivision is being undertaken so that the Petitioners can sell one of the lots to an interested buyer and retain the second lot.

The 5-foot setback requested in both cases relates to the proposed line of division and the placement of the existing buildings on each lot. Mr. Wolfe testified that the buildings are approximately 11 feet apart. The line of division will separate the two buildings and provide an approximately 5-foot setback on either side of the new property line. Both buildings are also set back from Pulaski Highway a distance of 50 feet. The variance relief is requested to legitimize this condition, in view of the 75-foot front setback required. The variance for a 40-foot side setback relates only to the property at 7803 Pulaski Highway. As noted above, that lot is irregularly shaped as is the building constructed thereon. The southeastern corner of the building is tapered to accommodate

the property line and the existence of Redhouse Run immediately adjacent thereto. A 40-foot setback in lieu of the required 50 feet is required.

Based on the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variances. It is clear that relief can be granted without detriment to the neighborhood. In this regard, the subject buildings were constructed nearly 40 years ago and have been utilized in their current fashion for many years. Moreover, the practical difficulty is created by virtue of the proposed subdivision of the property and the location of the existing structures thereon. For all of these reasons, the relief requested should be approved.

It is of final note that there were no adverse comments from any of the member reviewing agencies of the Zoning Plans Advisory Committee. However, the Department of Environmental Protection and Resource Management (DEPRM) noted that development of the site must comply with the regulations for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350 of the Baltimore County Code) and with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code). In that no new development or building is proposed, compliance with these regulations is not necessary at this time. However, the relief granted will be conditioned by the requirement that any redevelopment on the site will require compliance with current standards and regulations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

THEREFORE IT IS ORDERED by the Zoning Commissioner for Baltimore County this 18th day of June, 1996 that the Petition for Variance in

MICROFILMED

ORDER RECEIVED FOR SILING
6/13/96
Date
By

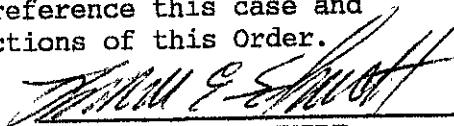
Case No. 96-420-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet and to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, for the existing structure on the property known as 7801 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance in Case No. 96-421-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet, to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, and to permit varying side setbacks of as little as 40 feet in lieu of the required 50 feet for the existing structure at 7803 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is conditioned upon the requirement that any redevelopment on either of the subject properties must comply with the regulations set forth in the Baltimore County Code for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350) and with the Forest Conservation Regulations (Sections 14-401 through 14-422).

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs



Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7803 Pulaski Highway (Lot 2)

96-421-A

which is presently zoned

ML-CS-1*

* Zoning considered for variance

ML-IM;MH-IM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

255.2 (243.1 & 243.2) - To permit 5' setback in lieu of required 50' side setback.

- To vary front setback from required 75' to 50' and side setback from 50' to 40' to legalize non-conforming

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty) use.

Practical Difficulty:

Adherence to the side setback of 50' along the line of division would prevent the usage and requires the elimination of a portion of the existing buildings.

The proposed variance would not impact adjacent properties since variance along interior lot line. Thus, the variance would be in spirit and harmony

of the zoning regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

X Robert BENCH
(Type or Print Name)

X Carol Bench
Signature

CAROLYN BENCH
(Type or Print Name)

Carol Bench
Signature

X 14 NASSAU CT 908-722-7462
Address Phone No.

X SOMERVILLE N.J. 08876
City State Zipcode

Name, Address and phone number of representative to be contacted.

Timothy W. Wolfe, PE

Name

SSM Inc.; 555 Fairbunt Ave., #230,

Address

Towson, MD 21286

Phone No.

(410) 494-0500

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for hearing

the following dates

Next Two Months

ALL

OTHER

REVIEWED BY:

ML/JS

DATE

4/26/96

Set w # 418

TOTAL P.07



Printed with Soybean Ink
on Recycled Paper

MICROFILMED



419

Description of 1.282 Acres of Land, more or less

Lot 1

7801 Pulaski Highway
Part of The Lands of
Robert, Sr. & Carolyn Bench
15 th Election District, Baltimore County, Maryland

96-421-A

March 22, 1996

BEGINNING FOR THE SAME at a point along the southeasternmost right-of-way line of U.S. Route 40, a.k.a. Pulaski Highway, 150' wide right-of-way at this point, at the westernmost corner of the herein described parcel of land. Said beginning point being located the two (2) following courses and distances from the centerline intersection of the aforesaid Pulaski Highway with Rosedale Avenue Southeast (30' wide): A. South $58^{\circ} 54' 49''$ West 497.57 feet to a point, and B. South $31^{\circ} 05' 11''$ East 75.00 feet to the point of beginning;

Thence leaving said Beginning Point so fixed and binding with the said right-of-way of Pulaski Highway

1. North $58^{\circ} 54' 49''$ East 210.17 feet to a point;

Thence leaving Pulaski Highway and running for a new line of division through the lands of Robert, Sr. & Carolyn Bench

2. South $31^{\circ} 04' 33''$ East 308.19 feet to a point in Red House Run on the southernmost outline of the total tract of which the herein described parcel is a part;

Thence leaving Red House Run and binding with said outline the two following courses and distances:

3. South $67^{\circ} 13' 27''$ West 54.31 feet to a point, and

4. South $27^{\circ} 13' 27''$ West 94.88 feet to a point in the westernmost outline of the aforesaid total tract;

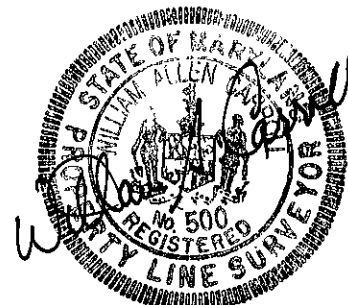
Thence with said outline

5. North $43^{\circ} 16' 33''$ West 358.25 feet to the Point and Place of Beginning.

Containing in all **1.282 Acres** of land, more or less, as surveyed by Spotts, Stevens & McCoy, Inc. In February of 1996.

Being or intending to be a part of all of those lands conveyed to Robert Bench, Sr. and Carolyn Bench, husband and wife, from Martin Realty Company, Inc. A corporation of the State of Maryland, by deed dated August 15, 1985 and recorded among the Land Records of Baltimore County, Maryland in Liber 6976 Folio 616.

MICROFILMED



CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

96-4421-1A

District 133d

Posted for: Lenexco

Date of Posting 5/18/96

Petitioner: Robert & Evelyn Brock

Location of property: 7803 Palestine Hwy.

Location of Sign: Being posted on property being torn &

Remarks: _____

Posted by _____

Signature

Number of Signs: 1

Date of return: 5/24/96

RECORDED

NOTICE OF HEARING

The Zoning Commission of Baltimore County is hereby holding a public hearing on the property identified herein in Room 105 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204, or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

Case #38-421-A
(Item 419)
7883 Pulaski Highway
SEES Pulaski Highway, SR W
of Old Rosedale Avenue
15th Election District
7th Condemnation
Legal Owner(s):
Robert Beach and Carolyn Beach

Variance: To permit 5 foot setback in rear of the building 50 foot side setback, and 20 yard front setback from required 75 feet to 50 feet and side setback from 50 feet to 40 feet to legalize non-conforming use.
Hearing: Tuesday, June 4, 1986 at 2:00 p.m. in Rm. 118, Old Courthouse.

LAWRENCE E. SCHMIDT
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible for special accommodations Please Call 887-3363.
(2) For information concerning the file and/or hearing, Please Call 887-3361.

5/110 May 9 030691

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/9, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/9, 1996.

THE JEFFERSONIAN,
G. A. Smith
LEGAL AD. - TOWSON

Publisher

MICROFILMED

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 015110

96-421-A

DATE 4/26/96 ACCOUNT 01-615

By mgr/JS
Ltr 419

AMOUNT \$ 250.00

RECEIVED FROM: Beach - 7803 Pelask. Hwy

020 - Comm Va.
(1157 on 11th 418) - \$250.00

FOR: _____

MICROFILMED 02/21/2000
BY 120074 LAMC 2/21/00

VALIDATION OR SIGNATURE OF CASHIER

DISTRIBUTION
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 419 Petitioner: Bench, Robert

Location: 7803 Pulaski Highway

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Tim Wolfe

ADDRESS: 555 Fairmount Ave

Towson, MD 21286

PHONE NUMBER: 444-0500

MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY

May 9, 1996 Issue - Jeffersonian

Please forward billing to:

Timothy W. Wolfe
555 Ffarmount Avenue
Towson, MD 21286
494-0500

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-421-A (Item 419)
7803 Pulaski Highway
SE/S Pulaski Highway, 50' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

Variance to permit 5 foot setback in lieu of the required 50 foot side setback; and to vary front setback from required 75 feet to 50 feet and side setback from 50 feet to 40 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204
or
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-421-A (Item 419)
7803 Pulaski Highway
SE/S Pulaski Highway, 50' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

Variance to permit 5 foot setback in lieu of the required 50 foot side setback; and to vary front setback from required 75 feet to 50 feet and side setback from 50 feet to 40 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon
Director

cc: Robert and Carolyn Bench
Timothy W. Wolfe

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

11/10/96





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30, 1996

Mr. and Mrs. Robert Bench
14 Nassau Point
Somerville, N.J. 08876419

RE: Item No.: 419
Case No.: 96-421-A
Petitioner: Robert Bench, et ux

Dear Mr. and Mrs. Bench:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

10/27/96



419 BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

10)
DATE: May 2, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 410-416 and 418-420 and 421 *9W-2*

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

Jeffrey W. Long

Division Chief:

Gary L. Kerns

PK/JL

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 06, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- B. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 413, 414, 415, 416,
417, 418, 419, 420, 421 AND 422.

1996

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

RE: PETITION FOR VARIANCE
7803 Pulaski Highway, SE/S Pulaski Hwy.,
50' W of c/l Rosedale Avenue, 15th
Election District, 7th Councilmanic

Robert and Carolyn Bench
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* CASE NO. 96-421-A

* * * * *

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Timothy W. Wolfe, PE, SSM, Inc., 555 Fairmount Avenue, #230, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman

PETER MAX ZIMMERMAN

MICROFILMED

EW. CEM. CORP.

BL

MLR

ROSEDALE

ML

POOL

#419

BR-CS-1

SHIRLEY

Lot 2
P.O.B.
N 6920.19
E 28066.85

ML

ML-CS-1

BR-CS-1

ML-IM

MH-IM

BM

ML-IM

MH-IM

D.R. 5.5

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NE 2E

Scale: 1" = 200'

REDHOUSE

HIGHWAY

AVE.

RAILR.

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management
May 16, 1996

FROM: Patricia M. Farr *PMF/fms*
DEPRM

SUBJECT: Zoning Item #419 - Bench Property
7803 Pulaski Highway
Zoning Advisory Committee Meeting of May 6, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

PMF:KK:sp

BENCH/DEPRM/TXTSBP

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PETITION PROBLEMS

#410 --- RT

1. Notary section is incomplete/incorrect.

#412 --- JJS

1. No title for person signing for legal owner.

#415 --- MJK

1. Is a violation - should not be filed as "administrative".

#416 --- JLL

1. No telephone number for legal owner.
2. No councilmanic district on folder.

#418 --- MJK

1. No original signatures on petition form.

#419 --- MJK

1. No original signatures on petition form.

#420 --- JJS

1. No review information on bottom of petition form.

#422 --- MJK

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.
3. Need telephone number for legal owner.
4. Need attorney's signature.

MICROFILMED

April 30, 1996



555 Fairmount Ave., Suite 230
Towson, MD 21286-5497
Phone: (410) 494-0500
Fax: (410) 296-3580

LETTER OF TRANSMITTAL

#1419

DATE	April 25, 1996	JOB NO.	20183-000
ATTENTION	Mr. John Sullivan		
RE	7801/7803 Pulaski Hwy.		
Variance			

TO: Balto. Co., ZADM
111 W. Chesapeake Ave., Rm 109
Towson, MD 21204

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications

☐ Copy of letter ☐ Change order ☒ package

COPIES	DATE	NO.	DESCRIPTION
1			Variance package for 7801 Pulaski Hwy. & \$ 285.00 fee
1			Variance package for 7803 Pulaski Hwy. & \$ 250.00 fee

THESE ARE TRANSMITTED as checked below:

- | | | |
|--|---|---|
| <input checked="" type="checkbox"/> For approval | <input type="checkbox"/> Reviewed | <input type="checkbox"/> Resubmit _____ copies for approval |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Reviewed as noted | <input type="checkbox"/> Submit _____ copies for distribution |
| <input type="checkbox"/> As requested | <input type="checkbox"/> Returned for corrections | <input type="checkbox"/> Return _____ corrected prints |
| <input type="checkbox"/> For review and comment | <input type="checkbox"/> _____ | |
| <input type="checkbox"/> FOR BIDS DUE _____ 19 _____ | <input type="checkbox"/> PRINTS RETURNED AFTER LOAN TO US | |

REMARKS As requested, the variance request has been revised to consist of petitions for each
property.

MICROFILMED

COPY TO R.B. Bench, w/encls.

SIGNED: _____

Form No. G09b

If enclosures are not as noted, kindly notify us at once.

Timothy W. Wolfe, P.E.

IN RE: PETITIONS FOR VARIANCE - SE/S * BEFORE THE
Pulaski Highway, 250' and 50' W * ZONING COMMISSIONER
of the c/l of Rosedale Avenue * OF BALTIMORE COUNTY
(7801 & 7803 Pulaski Highway)
15th Election District * Case Nos. 96-420-A & 96-421-A
7th Councilmanic District
Robert Bench, et ux
Petitioners * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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Notice of the public hearing scheduled in these matters was properly posted and advertised. Appearing at the hearing on behalf of the Petitions was Timothy W. Wolfe, Professional Engineer with Spotts, Stevens and McCoy, who prepared the site plans for these properties. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject proper-

ties are located adjacent to one another on the southeast side of Pulaski Highway, at its intersection with Rosedale Avenue in Rosedale. The property known as 7801 Pulaski Highway (Lot 1) consists of 1.282 acres, more or less, and is improved with a one-story block warehouse building. The adjoining property, known as 7803 Pulaski Highway (Lot 2), is an irregular shaped corner lot which the side property line thereof runs in a southerly, diagonal direction along Redhouse Run. This somewhat smaller lot consists of 0.812 acres, more or less, and is also improved with a one-story brick and block warehouse building. Both properties are zoned M.L.-C.S.-1, with a small portion to the rear of Lot 1 zoned M.L.-I.M. On behalf of the Petitioners, Mr. Wolfe testified that the subject lots were formerly considered a single parcel of property and were conveyed to the Petitioners under one deed. However, the Petitioners now wish to subdivide the property to create two separate lots as shown on the site plan. The proposed subdivision is being undertaken so that the Petitioners can sell one of the lots to an interested buyer and retain the second lot.

The 5-foot setback requested in both cases relates to the proposed line of division and the placement of the existing buildings on each lot. Mr. Wolfe testified that the buildings are approximately 11 feet apart. The line of division will separate the two buildings and provide an approximately 5-foot setback on either side of the new property line. Both buildings are also set back from Pulaski Highway a distance of 50 feet. The variance relief is requested to legitimize this condition, in view of the 75-foot front setback required. The variance for a 40-foot side setback relates only to the property at 7803 Pulaski Highway. As noted above, that lot is irregularly shaped as is the building constructed thereon. The southeastern corner of the building is tapered to accommodate

the property line and the existence of Redhouse Run immediately adjacent thereto. A 40-foot setback in lieu of the required 50 feet is required.

Based on the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variances. It is clear that relief can be granted without detriment to the neighborhood. In this regard, the subject buildings were constructed nearly 40 years ago and have been utilized in their current fashion for many years. Moreover, the practical difficulty is created by virtue of the proposed subdivision of the property and the location of the existing structures thereon. For all of these reasons, the relief requested should be approved.

It is of final note that there were no adverse comments from any of the member reviewing agencies of the Zoning Plans Advisory Committee. However, the Department of Environmental Protection and Resource Management (DEPRM) noted that development of the site must comply with the regulations for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350 of the Baltimore County Code) and with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code). In that no new development or building is proposed, compliance with these regulations is not necessary at this time. However, the relief granted will be conditioned by the requirement that any redevelopment on the site will require compliance with current standards and regulations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 16th day of June, 1996 that the Petition for Variance in

Case No. 96-420-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet and to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, for the existing structure on the property known as 7801 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

17 IS FURTHER ORDERED that the Petition for Variance in Case No. 96-421-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet, to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, and to permit varying side setbacks of as little as 40 feet in lieu of the required 50 feet for the existing structure at 7803 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.
- 2) The relief granted herein is conditioned upon the requirement that any redevelopment on either of the subject properties must comply with the regulations set forth in the Baltimore County Code for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350) and with the Forest Conservation Regulations (Sections 14-401 through 14-422).
- 3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

- 2 -

- 3 -

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 12th
Posted for: 14 days
Petitioner: Robert & Carolyn Bench
Location of property: 7801 Pulaski Hwy
Location of Sign: Corner of 7801 Pulaski Hwy & Chesaco Ave, Rosedale, Md
Remarks:
Posted by: Michael
Number of Signs: 1
Date of return: 6/14/96

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/9, 1996

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/9, 1996.

THE JEFFERSONIAN,

A. J. J. J.

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

June 18, 1996

Mr. & Mrs. Robert Bench
14 Nassau Court
Somerville, New Jersey 08876

RE: PETITIONS FOR VARIANCE
SE/S Pulaski Highway, 250' and 50' W of the c/l of Rosedale Avenue
(7801 & 7803 Pulaski Highway)
15th Election District - 7th Councilmanic District
Robert Bench, et ux - Petitioners
Case Nos. 96-420-A & 96-421-A

Dear Mr. & Mrs. Bench:

Enclosed please find a copy of the decision rendered in the above-captioned matters. The Petitions for Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjs

cc: Mr. Timothy W. Wolfe, Spotts, Stevens and McCoy, Inc.
555 Fairmount Avenue, Suite 230, Towson, Md. 21286-5497

People's Counsel

File

Petition for Variance

to the Zoning Commissioner of Baltimore County
for the property located at 7801 Pulaski Highway (Lot 1)

96-420-A which is presently zoned M.L.-CS-1*
* Zoning considered for variance M.L.-IN/MU-1R
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property abides in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

255.2 (243.1 & 243.2) - To permit 5' side setback in lieu of required 50'
- To vary front setback from required 75' to 50' to
legalize non-conforming use.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)

Practical Difficulty:
Adherence to the side setback of 50' along the line of division would prevent the usage and requires the elimination of a portion of the existing buildings. The proposed variance would not impact adjacent properties since variance along interior lot line. Thus, the variance would be in spirit and harmony of the zoning regulations.

Property is to be posted and advertised as prescribed by Zoning Regulations.

Let us, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lender:

Type or Print Name

Signature

Address

City State Zip

Attorney for Petitioner:

Type or Print Name

Signature

Address

City State Zip

Let us solemnly declare and affirm, under the penalties of perjury, that true and correct owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

X Robert Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

X Carolyn Bench

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X Carolyn Bench

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT

No. 19812
96-420-A

DATE: 4/26/96 ACCOUNT: 01-615
BY: TJS AMOUNT: \$285.00
ZL 418

RECEIVED: 7801 Pulaski Highway
FROM: 026-6ma W - 82.00
026-1500 - 82.00
FOR: 82.00

VALIDATION OR SIGNATURE OF CARRIER
1-90-00



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 418 Petitioner: 7801 Pulaski Highway
Location: Robert Bench

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Arnold Jablon Timothy W. Wolfe
ADDRESS: 14 Nassau Point 555 Fairmount Ave
Towson MD 21286
PHONE NUMBER: (410) 494-6500

Printed with Soybean Ink
on Recycled Paper

12

TO: PUTNAM PUBLISHING COMPANY
Issue - Jeffersonian

Please forward billing to:

Timothy W. Wolfe
555 Fairmount Avenue
Towson, MD 21286
494-6500

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-420-A (Item 418)
7801 Pulaski Highway
SE/8 Pulaski Highway, 250' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

Variance to permit 5 foot side setback in lieu of required 50 feet; and to vary front setback from required 75 feet to 50 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-420-A (Item 418)
7801 Pulaski Highway
SE/8 Pulaski Highway, 250' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

Variance to permit 5 foot side setback in lieu of required 50 feet; and to vary front setback from required 75 feet to 50 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon

Arnold Jablon
Director

cc: Robert and Carolyn Bench
Timothy W. Wolfe

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

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on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30, 1996

Mr. and Mrs. Robert Bench
14 Nassau Point
Somerville, N.J. 08876

RE: Item No.: 418
Case No.: 96-420-A
Petitioner: R. Bench

Dear Mr. Bench:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3391).

Sincerely,

W. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

May 16, 1996

FROM: Patricia M. Farr
DEPRM

SUBJECT: Zoning Item #418 - Bench Property
7801 Pulaski Highway
Zoning Advisory Committee Meeting of May 6, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-331 through 14-350 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

PMF:KK:sp

BENCH2/DEPRM/TXTSP

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 2, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 410-416 and 418-420 and 421 9W-2

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Carol L. Kern

PK/JL

ITEM410A/PZONE/ZAC1

Baltimore County Government
Fire Department



700 East Joyce Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 04/16/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 06, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 413, 414, 415, 416, 417, 418, 419, 420, 421 AND 422.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881, MS-1102F

cc: File

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on Recycled Paper

PETITION PROBLEMS

#410 --- RT

1. Notary section is incomplete/incorrect.

#412 --- JJS

1. No title for person signing for legal owner.

#415 --- MJK

1. Is a violation - should not be filed as "administrative".

#416 --- JLL

1. No telephone number for legal owner.
2. No councilmanic district on folder.

#418 --- MJK

1. No original signatures on petition form.

#419 --- MJK

1. No original signatures on petition form.

#420 --- JJS

1. No review information on bottom of petition form.

#422 --- MJK

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.
3. Need telephone number for legal owner.
4. Need attorney's signature.

April 30, 1996

RE: PETITION FOR VARIANCE
7801 Pulaski Highway, SE/S Pulaski Hwy.,
350' W of C/I Rosedale Avenue, 15th
Election District, 7th Councilmanic
Robert and Carolyn Bench
Petitioners
* * * * *

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-426-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

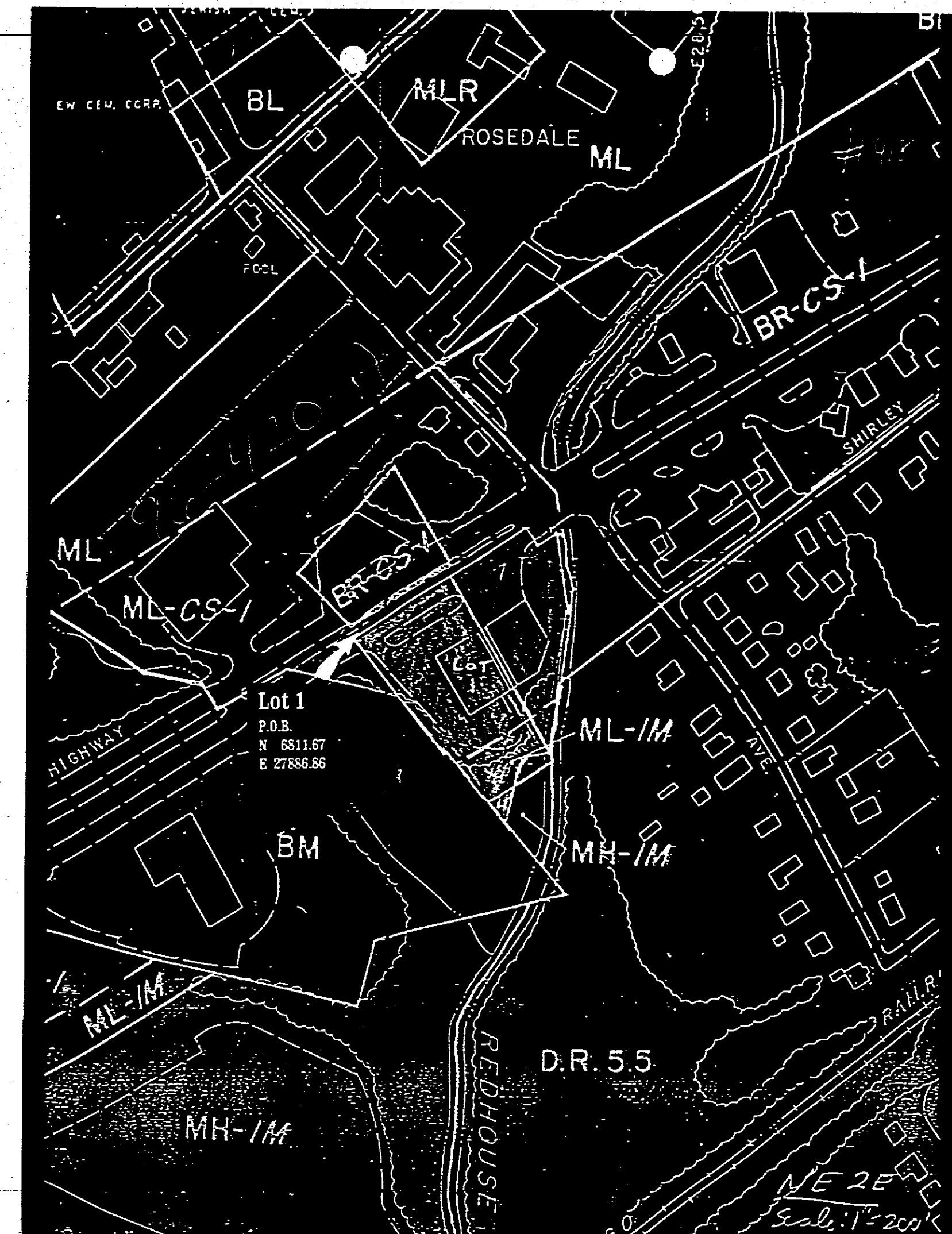
Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 11, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 6th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Timothy W. Wolfe, PE, SSM, Inc., 555 Fairmount Avenue, #230, Towson, MD 21286, representative for Petitioners.

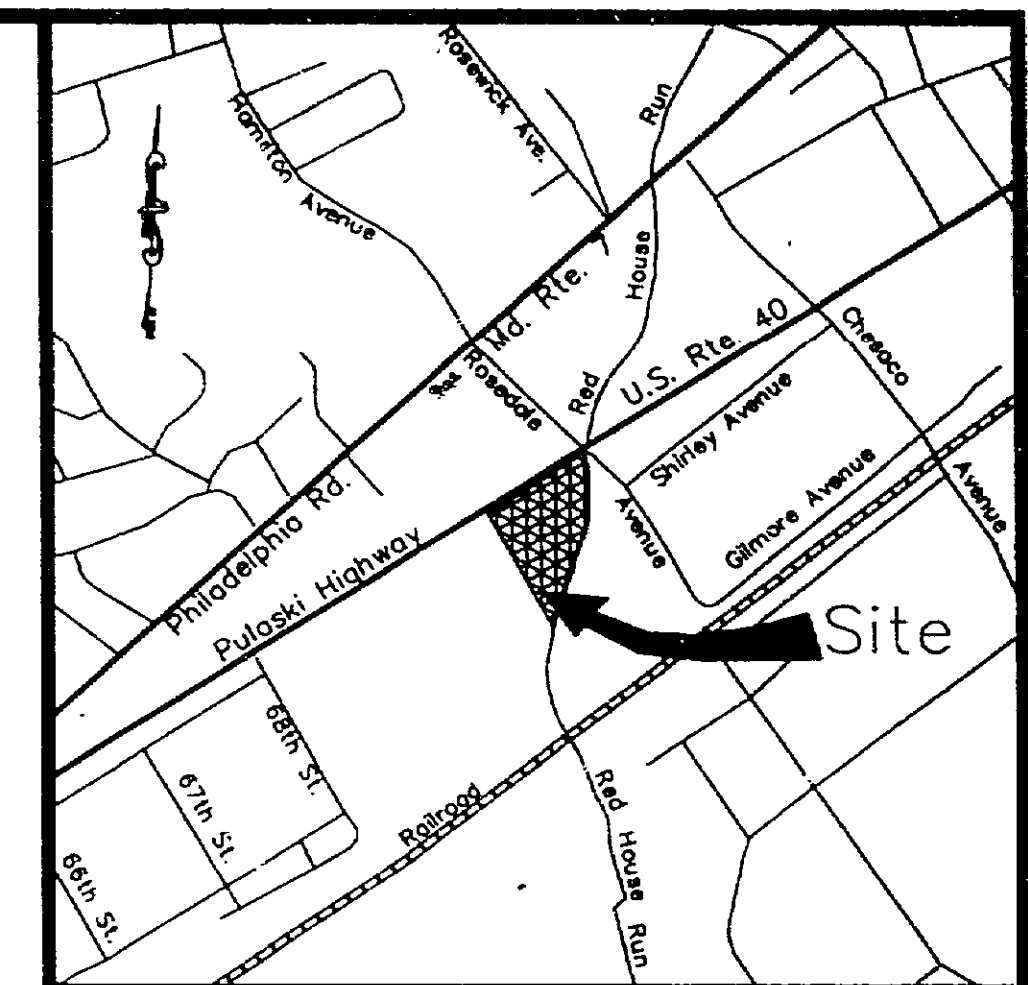
Peter Max Zimmerman
PETER MAX ZIMMERMAN



COORDINATES
 Lot 1 POB N 6811.6709 E 27886.8623
 Lot 2 POB N 6920.1866 E 28066.8469

TO ACCOUNT NO. 15-13-203400
 DATE: 10/16/96
 TAX MAP: 89
 ONE: 22
 PARCEL NUMBER: 803
 CURRENT OWNERSHIP:
 Robert, Sr. & Carolyn Bench
 14 Nassau Ct.
 Somerville, NJ 08876

CENSUS TRACT: 4501
 REGIONAL PLANNING DISTRICT: 326
 WATERSHED: ---
 SUBWATERSHED: ---
 ELECTION DISTRICT: 15
 COUNCILMAN: 7



Vicinity Map
 Scale: 1"=1,000'

OPEN SPACE PROPOSAL

OPEN SPACE TYPE	ACRES
BALTIMORE COUNTY GREENWAY/EASEMENT	N/A
STORM WATER MANAGEMENT	N/A
TOTAL PROVIDED	N/A

ADDITIONAL INFORMATION
 ANTICIPATED/SECURED ACTIONS:
 VARIANCES:
 1. TO PERMIT A PROPOSED SIDE SETBACK OF 5' IN LIEU OF THE REQUIRED 50'.
 2. TO VARY EXISTING FRONT (LOTS 1 & 2) AND SIDE (LOT 2) SETBACKS TO 50' & 40' RESPECTIVELY, TO LEGALIZE EXISTING NON-CONFORMING USE.
 EXEMPTION:
 1. TO BE EXEMPT FROM ANY STORMWATER MANAGEMENT ACTIVITIES, SINCE NO DEVELOPMENT ACTIVITY WILL TAKE PLACE.
 2. TO BE EXEMPT FROM THE FOREST CONSERVATION ACT SINCE NO DEVELOPMENT ACTIVITY WILL TAKE PLACE.

NOTES:
 1. DEED REFERENCES: 6678/616, WPC 437/314
 2. EASEMENT/AGREEMENT REFERENCES: 2204/205, 1076/444, 156/80
 3. TAX MAP 89, GRID 22, PARCEL 803
 4. TAX ACCOUNT NO. 1502852220
 5. LOTS 1 & 2 ARE ENTIRELY IN FLOOD ZONE "X" (ELEV. = 22') FROM COMMUNITY PANEL NO. 20010 DATED 6 MARCH 2, 1983
 6. ZONING: ML-CS-1 MANUFACTURING, LIGHT - COMMERCIAL, STRIP
 ML-M MANUFACTURING, LIGHT - INDUSTRIAL, MAJOR
 MH-M MANUFACTURING, HEAVY - INDUSTRIAL, MAJOR
 7. THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THE SITE.
 8. PUBLIC WATER & SEWER IS AVAILABLE.
 9. APPLICANT IS AWARE OF ANY HAZARDOUS MATERIALS OR ARCHEOLOGICAL SITES ON PROPERTY.
 10. THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITHIN THE DISTRICT.
 11. THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
 12. THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITHIN THE DISTRICT.
 13. THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT.
 14. SOIL TYPE: N1, AKAHAW LONG
 15. BUILDING SETBACKS:
 FRONT - 75' PROVIDED - 50'
 REAR - 50' PROVIDED - 50'
 SIDE - 50' PROVIDED - 5' 40' & 50'
 16. NO EXISTING SHOPS ARE PRESENT.
 17. NO SHOPS ARE PLANNED AT THIS TIME.

PARKING

BUILDING CONSTRUCTED N 1954
 LOT 1 LOT 2
 EMPLOYEES 8 14
 PARKING REQUIRED 0 0
 PARKING AVAILABLE 13 8

SITE DATA

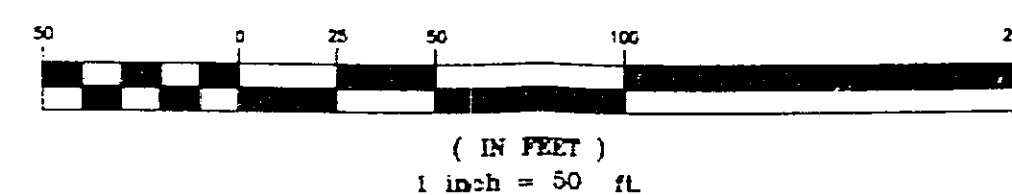
EXISTING ZONING AND MAXIMUM DENSITY PERMITTED		PROPOSED DEVELOPMENT		TOTAL	
ZONE	ACRES	ACRES	ACRES	ACRES	ACRES
ML-CS-1	2.023	1.743	0.985	0.750	0.28
ML-M	0.330	0.330	0.268	0.062	0.28
MH-M	0.018	0.018	0.018	0.000	0.00
TOTAL	2.371	2.091	1.261	0.812	0.23

96-420-A

Legend

- Sanitary Sewer Manhole
- Monitor Well
- Utility Pole
- 36" Waterline
- Sanitary Sewerline
- Site Benchmark (Balt. Co. X-5859'A - RR Spike)
- Capped Iron Pipe Found
- Capped Iron Pin to be set
- Property Line
- Building Restriction Line
- Zoning Line
- Edge of Stream

GRAPHIC SCALE

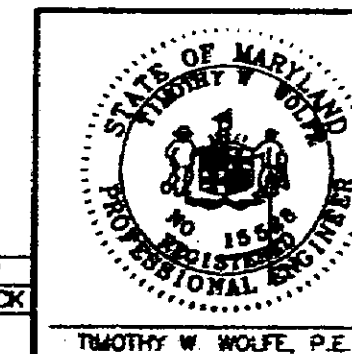


Robert Bench, Sr., certify under oath that there are no delinquent accounts for any other development with respect to any of the following: the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

This plan is professional engineer sealed and certified to be in accordance with all agency comments.

NO.	DATE	REVISION	BY	DATE
1	4/19/96	GENERAL	THOMAS W. WOLFE, P.E.	

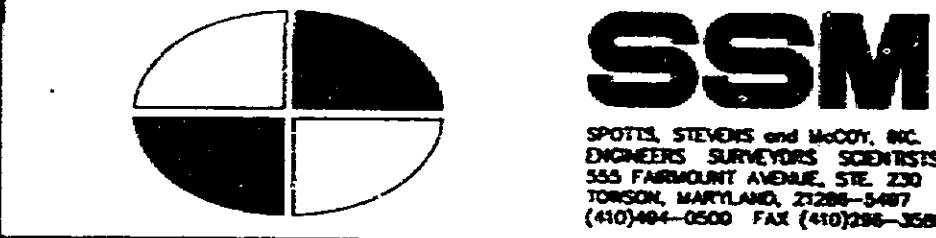
DRC #03256J
 PDM



7801 & 7803 Pulaski Highway
 Lot 1 Lot 2

PLAT TO ACCOMPANY A
 ZONING VARIANCE PETITION
 DEVELOPMENT PLAN

THE LANDS OF
 ROBERT, SR. & CAROLYN BENCH
 7801 & 7803 PULASKI HIGHWAY
 15th ELECTION DISTRICT
 BALTIMORE COUNTY, MD.



WAC	TWW	DATE
MADE	CHECK	3/12/96

20183-000
 SHEET 1 OF 1
 APR 25 1996

IN RE: PETITIONS FOR VARIANCE - SE/S
Pulaski Highway, 250' and 50' W
of the c/l of Rosedale Avenue
(7801 & 7803 Pulaski Highway)
15th Election District
7th Councilmanic District

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case Nos. 96-420-A & 96-421-A

Robert Bench, et ux
Petitioners

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as combined Petitions for Variance for the adjoining properties known as 7801 and 7803 Pulaski Highway, located in the vicinity of Chesaco Avenue in Rosedale. The Petitions were filed by the owners of the properties, Robert Bench, Sr. and his wife, Carolyn Bench. In both cases, the Petitioners seek relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet and to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, to legitimize the existing structures on the site. In addition, the Petitioners seek relief to permit varying side setbacks of as little as 40 feet in lieu of the required 50 feet for the existing structure at 7803 Pulaski Highway. The subject properties and relief sought are more particularly described on the respective site plans submitted which were accepted and marked into evidence as Petitioner's Exhibits 1.

Notice of the public hearing scheduled in these matters was properly posted and advertised. Appearing at the hearing on behalf of the Petitions was Timothy W. Wolfe, Professional Engineer with Spotts, Stevens and McCoy, who prepared the site plans for these properties. There were no Protestants or other interested parties present.

Testimony and evidence offered revealed that the subject proper-

ties are located adjacent to one another on the southeast side of Pulaski Highway, at its intersection with Rosedale Avenue in Rosedale. The property known as 7801 Pulaski Highway (Lot 1) consists of 1.282 acres, more or less, and is improved with a one-story block warehouse building. The adjoining property, known as 7803 Pulaski Highway (Lot 2), is an irregular shaped corner lot which the side property line thereof runs in a southerly, diagonal direction along Redhouse Run. This somewhat smaller lot consists of 0.812 acres, more or less, and is also improved with a one-story brick and block warehouse building. Both properties are zoned M.L.-C.S.-1, with a small portion to the rear of Lot 1 zoned M.L.-I.M. On behalf of the Petitioners, Mr. Wolfe testified that the subject lots were formerly considered a single parcel of property and were conveyed to the Petitioners under one deed. However, the Petitioners now wish to subdivide the property to create two separate lots as shown on the site plan. The proposed subdivision is being undertaken so that the Petitioners can sell one of the lots to an interested buyer and retain the second lot.

The 5-foot setback requested in both cases relates to the proposed line of division and the placement of the existing buildings on each lot. Mr. Wolfe testified that the buildings are approximately 11 feet apart. The line of division will separate the two buildings and provide an approximately 5-foot setback on either side of the new property line. Both buildings are also set back from Pulaski Highway a distance of 50 feet. The variance relief is requested to legitimize this condition, in view of the 75-foot front setback required. The variance for a 40-foot side setback relates only to the property at 7803 Pulaski Highway. As noted above, that lot is irregularly shaped as is the building constructed thereon. The southeastern corner of the building is tapered to accommodate

- 2 -

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the property line and the existence of Redhouse Run immediately adjacent thereto. A 40-foot setback in lieu of the required 50 feet is required.

Based on the testimony and evidence offered, all of which is uncontradicted, I am persuaded to grant the Petition for Variances. It is clear that relief can be granted without detriment to the neighborhood. In this regard, the subject buildings were constructed nearly 40 years ago and have been utilized in their current fashion for many years. Moreover, the practical difficulty is created by virtue of the proposed subdivision of the property and the location of the existing structures thereon. For all of these reasons, the relief requested should be approved.

It is of final note that there were no adverse comments from any of the member reviewing agencies of the Zoning Plans Advisory Committee. However, the Department of Environmental Protection and Resource Management (DEPRM) noted that development of the site must comply with the regulations for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350 of the Baltimore County Code) and with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code). In that no new development or building is proposed, compliance with these regulations is not necessary at this time. However, the relief granted will be conditioned by the requirement that any redevelopment on the site will require compliance with current standards and regulations.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons set forth above, the relief requested shall be granted.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15th day of June, 1996 that the Petition for Variance in

- 3 -

Case No. 96-420-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet and to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, for the existing structure on the property known as 7801 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance in Case No. 96-421-A seeking relief from Section 255.2 of the Baltimore County Zoning Regulations (B.C.Z.R.) (Sections 243.1 and 243.2) to permit side setbacks of 5 feet in lieu of the required 50 feet, to permit varying front setbacks of as little as 50 feet in lieu of the required 75 feet, and to permit varying side setbacks of as little as 40 feet in lieu of the required 50 feet for the existing structure at 7803 Pulaski Highway, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

1) The Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the relief granted herein shall be rescinded.

2) The relief granted herein is conditioned upon the requirement that any redevelopment on either of the subject properties must comply with the regulations set forth in the Baltimore County Code for the protection of water quality, streams, wetlands, and floodplains, (Sections 14-331 through 14-350) and with the Forest Conservation Regulations (Sections 14-401 through 14-422).

3) When applying for any permits, the site plan and/or landscaping plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:bjjs

- 4 -

MICROFIL MED

Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at 7803 Pulaski Highway (Lot 2)

96-421-A which is presently zoned ML-CS-1*
* Zoning considered for variance ML-IM, MH-1M
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s)

255.2 (243.1 & 243.2) - To permit 5' setback in lieu of required 50' side setback.
- To vary front setback from required 75' to 50' and side setback from 50' to 40' to legalize non-conforming use.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
Practical Difficulty:
Adherence to the side setback of 50' along the line of division would prevent the usage and requires the elimination of a portion of the existing buildings. The proposed variance would not impact adjacent properties since variance along interior lot line. Thus, the variance would be in spirit and harmony with the zoning regulations.
Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Control Purchase/License
Type or Print Name
Signature
Address
City State Zipcode
Attorney for Petitioner
Type or Print Name
Signature
Address
City State Zipcode
Name
Address and phone number of representative to be contacted
Timothy W. Wolfe, PE
SSN Inc.: 555 Fairmount Ave., #230,
TOWSON, MD 21286 (410) 282-6500
ESTIMATED LENGTH OF HEARINGS
The following date
ALL
RECEIVED BY DATE
SIT # 411

Description of 1.282 Acres of Land, more or less

Lot 1
7801 Pulaski Highway
Part of the Lands of
Robert Sr. & Carolyn Bench
15th Election District, Baltimore County, Maryland

March 22, 1996

BEGINNING FOR THE SAME at a point along the southeastermost right-of-way line of U.S. Route 40, a.k.a. Pulaski Highway, 150' wide right-of-way at this point, at the westernmost corner of the herein described parcel of land. Said beginning point being located the two (2) following courses and distances from the centerline intersection of the aforesaid Pulaski Highway with Rosedale Avenue Southeast (30' wide): A. South 58° 54' 49" West 497.57 feet to a point, and B. South 31° 05' 11" East 75.00 feet to the point of beginning:

Thence leaving said Beginning Point so fixed and binding with the said right-of-way of Pulaski Highway

1. North 58° 54' 49" East 210.17 feet to a point;

Thence leaving Pulaski Highway and running for a new line of division through the lands of Robert Sr. & Carolyn Bench

2. South 31° 04' 33" East 308.19 feet to a point in Red House Run on the southernmost outline of the total tract of which the herein described parcel is a part.

Thence leaving Red House Run and binding with said outline the two following courses and distances:

3. South 67° 13' 27" West 54.31 feet to a point, and

4. South 27° 13' 27" West 94.88 feet to a point in the westernmost outline of the aforesaid total tract.

Thence with said outline

5. North 43° 16' 33" West 358.25 feet to the Point and Place of Beginning.

Containing in all 1.282 Acres of land, more or less, as surveyed by Spotts, Stevens & McCoy, Inc. In February of 1996.

Being or intending to be a part of all of those lands conveyed to Robert Bench, Sr. and Carolyn Bench, husband and wife, from Martin Realty Company, Inc. A corporation of the State of Maryland, by deed dated August 15, 1985 and recorded among the Land Records of Baltimore County, Maryland in Liber 6976 Folio 616



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12th
Posted for: Variance
Petitioner: Robert & Carolyn Bench
Location of property: 7803 Pulaski Hwy.
Location of Signs: Every 200 feet, on property, along road
Remarks:
Posted by: [Signature]
Number of Signs: 1
Date of return: 2/24/96

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/4, 1996
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/4, 1996.

THE JEFFERSONIAN,
LEGAL AD. - TOWSON

BALTIMORE COUNTY, MARYLAND
OFFICE OF FINANCE - REVENUE DIVISION
MISCELLANEOUS CASH RECEIPT
DATE 5/14/96 ACCOUNT 96-421-A
AMOUNT \$ 250.00
RECEIVED FROM 7803 Pulaski Hwy
FOR



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 419 Petitioner: Bench, Robert
Location: 7803 Pulaski Highway

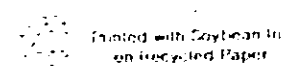
PLEASE FORWARD ADVERTISING BILL TO:

NAME: Tim Wolfe

ADDRESS: 555 Fairmount Ave

Towson, MD 21286

PHONE NUMBER: 444-0500



12

TO: PETITION FURNISHING COMPANY
May 3, 1996 Issue - Jeffersonian

Please forward billing to:

Timothy W. Wolfe
555 Fairmount Avenue
Towson, MD 21286
444-0500

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

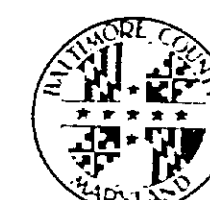
CASE NUMBER: 96-421-A (Item 419)
7803 Pulaski Highway
SE/6 Pulaski Highway, 50' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

Variance to permit 5 foot setback in lieu of the required 50 foot side setback; and to vary front setback from required 75 feet to 50 feet and side setback from 50 feet to 40 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

LAWRENCE E. SCHMITT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3393.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 3, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 96-421-A (Item 419)
7803 Pulaski Highway
SE/6 Pulaski Highway, 50' W of c/l Rosedale Avenue
15th Election District - 7th Councilmanic
Legal Owner(s): Robert Bench and Carolyn Bench

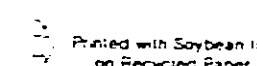
Variance to permit 5 foot setback in lieu of the required 50 foot side setback; and to vary front setback from required 75 feet to 50 feet and side setback from 50 feet to 40 feet to legalize non-conforming use.

HEARING: TUESDAY, JUNE 4, 1996 at 2:00 p.m. in Room 118, Old Courthouse.

Arnold Jablon
Director

cc: Robert and Carolyn Bench
Timothy W. Wolfe

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3393.
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3393.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

May 30, 1996

Mr. and Mrs. Robert Bench
14 Nassau Point
Somerville, N.J. 08876-419

RE: Item No.: 419
Case No.: 96-421-A
Petitioner: Robert Bench, et ux

Dear Mr. and Mrs. Bench:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on April 26, 1996.

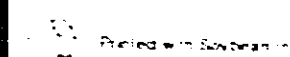
Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Joyce Watson in the zoning office (887-3393).

Sincerely,

D. Carl Richards, Jr.
W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)



BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Permits and Development
Management

DATE: May 2, 1996

FROM: Pat Keller, Director
Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 410-416 and 418-420 *and 421 JW-L*

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: *Jeffrey W. Long*

Division Chief: *Carol L. Kenna*

PK/JL

ITEM410A/PZONE/ZAC1

Baltimore County Government
Fire Department

700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410)887-4083

DATE: 04/12/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-110E

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF MAY 26, 1996.

Item No.: SEE BELOW

Zoning Agenda:

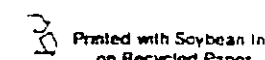
Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

B. The Fire Marshal's Office has no comments at this time. IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421 AND 422.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



BALTIMORE COUNTY, MARYLAND DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director
Zoning Administration and
Development Management

May 16, 1996

FROM: Patricia M. Farr
DEPRM

SUBJECT: Zoning Item #419 - Bench Property
7803 Pulaski Highway
Zoning Advisory Committee Meeting of May 6, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains (Sections 14-382 through 14-390 of the Baltimore County Code).

Development of this property must comply with the Forest Conservation Regulations (Sections 14-401 through 14-422 of the Baltimore County Code).

PMF/KK:sp

BENCH/DEPRM/TXTS8P

PETITION PROBLEMS

#410 --- RT

1. Notary section is incomplete/incorrect

#412 --- JJS

1. No title for person signing for legal owner

#415 --- MJK

1. Is a violation - should not be filed as "administrative"

#416 --- JLL

1. No telephone number for legal owner
2. No councilmanic district on folder

#418 --- MJK

1. No original signatures on petition form

#419 --- MJK

1. No original signatures on petition form

#420 --- JJS

1. No review information on bottom of petition form

#422 --- MJK

1. Need title of person signing for legal owner.
2. Need authorization for person signing for legal owner.
3. Need telephone number for legal owner.
4. Need attorney's signature.

April 30, 1996

RE: PETITION FOR VARIANCE
7803 Pulaski Highway, SE/S Pulaski Hwy.,
50' W of c/l Rosedale Avenue, 15th
Election District, 7th Councilmanic
Robert and Carolyn Bench
Petitioners

BEFORE THE
ZONING COMMISSIONER
OF BALTIMORE COUNTY
CASE NO. 96-421-A

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Peter Max Zimmerman
PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

Carole S. Demilio
CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD 21204
(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 17th day of June, 1996, a copy of the foregoing Entry of Appearance was mailed to Timothy W. Wolfe, PE, SSM, Inc., 555 Fairmount Avenue, #230, Towson, MD 21286, representative for Petitioners.

Peter Max Zimmerman
PETER MAX ZIMMERMAN



555 Fairmount Ave., Suite 230
Towson, MD 21286-3497
Phone: (410) 494-8500
Fax: (410) 296-3580

TO: Balto. Co., ZADM
111 W. Chesapeake Ave., Rm 109
Towson, MD 21204

LETTER OF TRANSMITTAL

DATE	April 25, 1996	JOB NO.	20182-000
ATTENTION	Mr. John Sullivan		
	7801/7803 Pulaski Hwy.		
	Variance		

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:
☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☒ *package*

COPIES	DATE	NO.	DESCRIPTION
1			Variance package for 7801 Pulaski Hwy. & \$ 285.00 fee
1			Variance package for 7803 Pulaski Hwy. & \$ 250.00 fee

THESE ARE TRANSMITTED as checked below:

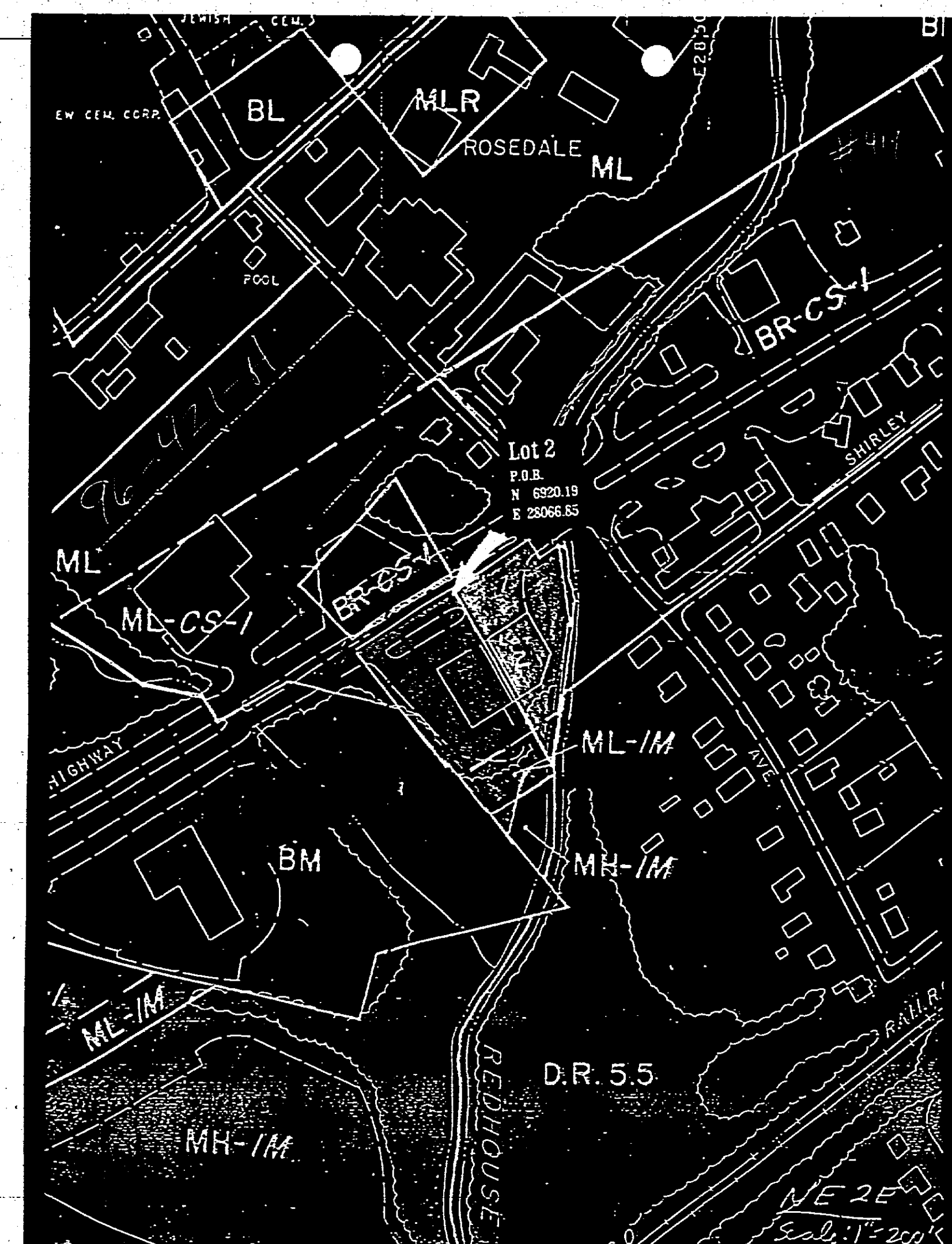
☒ For approval ☐ Reviewed ☐ Resubmit _____ copies for approval
☐ For your use ☐ Reviewed as noted ☐ Submit _____ copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return _____ corrected prints
☐ For review and comment ☐ ☐ PRINTS RETURNED AFTER LOAN TO US
☐ FOR BIDS DUE _____ 19 _____

REMARKS: As requested, the variance request has been revised to consist of petitions for each property.

COPY TO: R.B. Bench, w/encls.

SIGNED:

Timothy W. Wolfe
Timothy W. Wolfe, P.E.



OPEN SPACE PROGRAM	
OPEN SPACE TYPE	ACRES
BALTIMORE COUNTY GREENWAY/EASEMENT	N/A
STORM WATER MANAGEMENT	N/A
TOTAL PROVIDED	N/A

ADDITIONAL INFORMATION

ANTICIPATED/SECURED ACTIONS:

VARIANCES:

1. TO PERMIT A PROPOSED SIDE SETBACK OF 5' IN LIEU OF THE REQUIRED 50'.
2. TO VARY EXISTING FRONT (LOTS 1 & 2) AND SIDE (LOT 2) SETBACKS TO 50' & 40' RESPECTIVELY, TO LEGALIZE EXISTING NON-CONFORMING USE.

EXEMPTION:

1. TO BE EXEMPT FROM ANY STORMWATER MANAGEMENT ACTIVITIES, SINCE NO DEVELOPMENT ACTIVITY WILL TAKE PLACE.
2. TO BE EXEMPT FROM THE FOREST CONSERVATION ACT SINCE NO DEVELOPMENT ACTIVITY WILL TAKE PLACE.

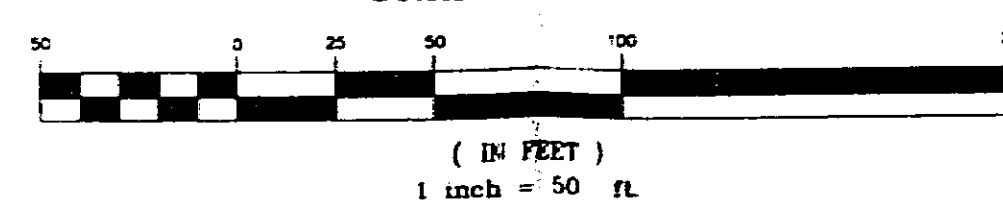
Lands of
Wilkie Buick Binmost Corporation
 Tax Acct. # 1513008070
 Tax Map 89, Grid 22, Parcel 729
 Deed Reference: 7160/176
 Land Use: Commercial

Lands of
Robert J., Jr. & Beatrice M. Buettner
 Tax Acct. # 1502852220
 Tax Map 96, Grid 4, Parcel 190, Lot 186
 Rosedale Terrace - Plan "C" - Lot 186
 Deed Reference: 3983/454
 Plat Reference: WPC 3/90
 Land Use: Residential

Legend

- Sanitary Sewer Manhole
- Monitor Well
- Utility Pole
- 36" Waterline
- Sanitary Sewerline
- Site Benchmark (Balt. Co. X-5859"A" - RR Spike)
- Capped Iron Pipe Found
- Capped Iron Pin to be set
- Property Line
- Building Restriction Line
- Zoning Line
- Edge of Stream

GRAPHIC SCALE

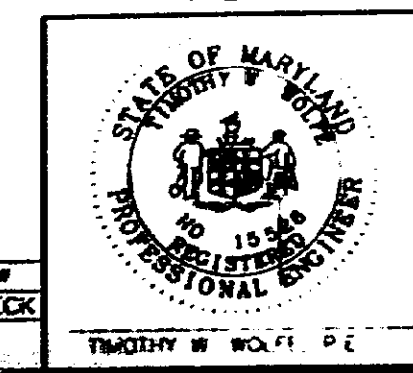


I, Robert Bench, Sr., certify under oath that there are no delinquent accounts for any other development with respect to any of the following the applicant, a person with a financial interest in the proposed development, or a person who will perform contractual services on behalf of the proposed development.

This plan is professional engineer sealed and certified to be in accordance with all agency comments.

NO.	DATE	DESCRIPTION
1	4/19/96	GENERAL
REVISION		

DRC #03256J
 PDM



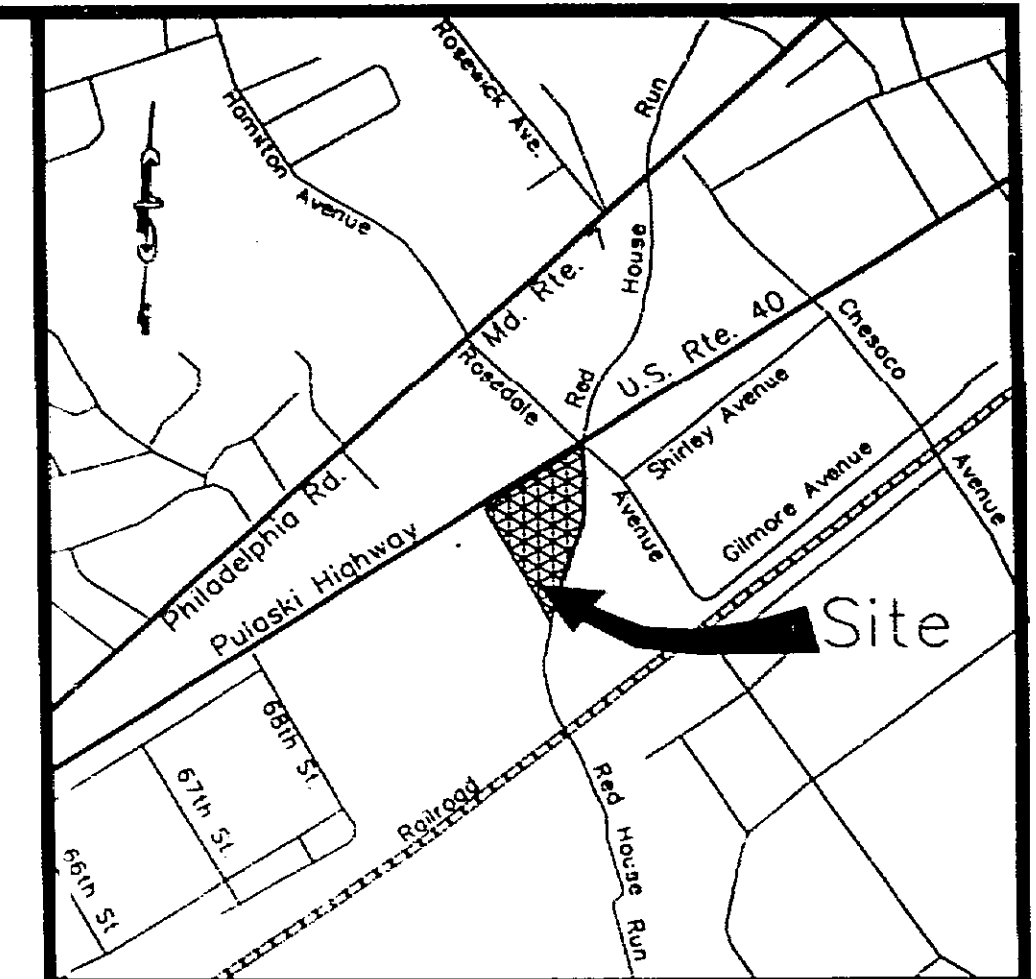
WAC	TWW	DATE
MADE	CHECK	3/12/96
APPROVALS		
20183-000		
DRAWING NUMBER		
SHEET 1 OF 1		
REV.		

APR 25 1996

COORDINATES			
Lot 1 POB	N 6811.6709	E 27886.8623	
Lot 2 POB	N 6920.1866	E 28066.8469	

TAX ACCOUNT NO. 15-13-203400
 202 REFERENCE L 6976/P 516
 TAX MAP 89, GRID 22, PARCEL 803
 PARCEL NUMBER 803
 CURRENT OWNERSHIP
 Robert, Sr. & Carolyn Bench
 14 Nossau Ct.
 Somerville, NJ 08876

CENSUS TRACT 4501
 REGIONAL PLANNING DISTRICT 326
 WATERSHED
 SUBWATERSHED
 ELECTION DISTRICT 15
 COUNCILMANIC 7



Vicinity Map
 Scale: 1"=1,000'

NOTES:

1. DEED REFERENCES: 8976/516, WPC 637/314
2. EASEMENT/AGREEMENT REFERENCES: 2204/200, 1028/444, 956/60
3. TAX MAP 89, GRID 22, PARCEL 803
4. TAX ACCOUNT NO. 1502852220
5. LOTS 1 & 2 ARE ENTIRELY IN FLOOD ZONE "A" (ELEV. = 25')
6. FIRM COMMUNITY FLOOD NO. 24010 DATED 8 MARCH 2, 1981
7. ZONING: ML-CS-1 MANUFACTURING, LIGHT - COMMERCIAL, STRIP MANUFACTURING, HEAVY - INDUSTRIAL, MAJOR INDUSTRIAL
8. THERE ARE NO EXISTING WELLS OR SEPTIC AREAS ON THE SITE
9. PUBLIC WATER & SEWER IS AVAILABLE
10. APPLICANT'S LIABILITY OF ANY HAZARDOUS MATERIALS OR ARCHEOLOGICAL SITES ON PROPERTY
11. THERE ARE NO DELINQUENT ACCOUNTS FOR ANY OTHER DEVELOPMENT WITH RESPECT TO ANY OF THE FOLLOWING: THE APPLICANT, A PERSON WITH A FINANCIAL INTEREST IN THE PROPOSED DEVELOPMENT, OR A PERSON WHO WILL PERFORM CONTRACTUAL SERVICES ON BEHALF OF THE PROPOSED DEVELOPMENT
12. BUILDING SET BACKS: FRONT - 75' PROVIDED - 50', REAR - 20' PROVIDED - 50', SIDE - 50' PROVIDED - 50' & 50'
13. NO EXISTING SODS ARE PRESENT
14. NO SODS ARE PLANNED AT THIS TIME

PARKING

BUILDING CONSTRUCTED IN 1954

	LOT 1	LOT 2
EMPLOYEES	6	14
PARKING REQUIRED	0	0
PARKING AVAILABLE	13	8

SITE DATA

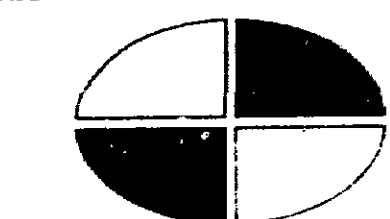
EXISTING ZONING AND MAXIMUM DENSITY PERMITTED		ALLOWED PROPOSED PROPOSED	
ZONE	ADDS	ADDS	ADDS
ML-CS-1	(65,121) (76,028) (43,360) (32,688)	0.4	0.25
ML-M	(14,382) (14,382) (14,382) (14,382)	0.4	0.25
ML-M	(14,382) (14,382) (14,382) (14,382)	0.4	0.25
ML-M	(14,382) (14,382) (14,382) (14,382)	0.4	0.25
TOTAL	(103,307) (91,214) (55,861) (55,353)	0.4	0.25

96-421-A

#419

7801 & 7803 Pulaski Highway
 Lot 1 Lot 2

PLAT TO ACCOMPANY A
 ZONING VARIANCE PETITION
 DEVELOPMENT PLAN
 THE LANDS OF
 ROBERT, SR. & CAROLYN BENCH
 7801 & 7803 PULASKI HIGHWAY
 15th ELECTION DISTRICT
 BALTIMORE COUNTY, MD.



SSM
 SPOTT, STEVENS AND MADDY, INC.
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